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TOWNSEND and TOWNSEND and CREW LLP

By: /Brien M. Bergner/
Brien M. Bergner

PATENT
Attorney Docket No.: 082368-008300US
Client Reference No.: MED-A0401P-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yasufumi KANEDA

Application No.: 10/594,659

Filed: March 30, 2005

For: RAD51 EXPRESSION
INHIBITORS, PHARMACEUTICAL
AGENTS CONTAINING THE
INHIBITORS AS ACTIVE
INGREDIENTS, AND USES THEREOF

Confirmation No.: 1235

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In compliance with the requirements of 37 CFR §1.98(a)(2), a copy of U.S. reference AA is not enclosed; copies of references AB-AC, AF-AJ, and AL are enclosed. Copies of references AD-AE, AK, and AM-AN are not provided as they were cited in the International Search Report, and as such, should have been provided directly by the WIPO under the exchange program between the USPTO, the EPO, and the JPO. A copy of the Search Report is included.

References AE, AK, and AM-AN are not in English. References AE and AK are categorized as “P,X” documents on the attached International Search Report. References AM and AN are categorized as “Y” documents on the attached International Search Report.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the “references cited” on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned’s Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

/Kevin Bastian/

Kevin Bastian
Reg. No. 34,774

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
KLB:bmb
60964252 v1

Substitute for form 1449A&B/PTO				Complete if Known	
				Application Number	10/594,659
				Filing Date	March 30, 2005
				First Named Inventor	Kaneda, Yasufumi
				Art Unit	
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	082368-008300US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-2003-022904 A1	12-11-2003	ZARLING, David	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AB	WO	02/58738	A2	08-01-2002	Pangene Corporation		<input type="checkbox"/>
	AC	WO	03/013488	A2	02-20-2003	Pangene Corporation		<input type="checkbox"/>
	AD	WO	2004/076622	A2	09-10-2004	National Institute of Advanced Industrial Science and Technology		<input type="checkbox"/>
	AE	JP	2004-173512	A	06-24-2004	MORITA, T., et al.		<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS							
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					T ²
	AF	BERTRAND, Jean-Rémi, et al.; "Comparison of antisense oligonucleotides and siRNAs in cell culture and in vivo;" <u>Biochemical and Biophysical Research Communications (BBRC)</u> ; August 30, 2002; pp. 1000-1004; 296:4.					<input type="checkbox"/>
	AG	ELBASHIR, Sayda, M., et al.; "Duplexes of 21-nucleotide RNAs mediate RNA interference in cultured mammalian cells;" <u>Nature</u> ; May 24, 2001; pp. 494-498; 411:6836.					<input type="checkbox"/>
	AH	FIRE, Andrew, et al.; "Potent and specific genetic interference by double-stranded RNA in <i>Caenorhabditis elegans</i> ;" <u>Nature</u> ; February 19, 1998; pp. 806-811; 391:6669.					<input type="checkbox"/>
	AI	KAWASAKI, Hiroaki and Kazunari Taira; "Short hairpin type of dsRNAs that are controlled by tRNA ^{Val} promoter significantly induce RNAi-mediated gene silencing in the cytoplasm of human cells;" <u>Nucleic Acids Research</u> ; January 15, 2003; pp. 700-707; 31:2.					<input type="checkbox"/>
	AJ	MARTINEZ, Luis Alfonso, et al.; "Synthetic small inhibiting RNAs: Efficient tools to inactivate oncogenic mutations and resore p53 pathways;" <u>Proceedings from the National Academy of Sciences of the United States of America (PNAS)</u> ; November 12, 2002; 14849-14854; 99:23.					<input type="checkbox"/>

Examiner Signature		Date Considered
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

²Applicant's unique citation designation number (optional). ³Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A&B/PTO				Complete if Known	
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Sheet	2	of	2	Attorney Docket Number	082368-008300US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	AK	MORITA, Takashi; "Kumikae Idenshi (Rad51) o Mochiita Nanji Gan no Hoshasen Chiryo;" <u>Gan Kenkyu ni Kakawaru Tokutei Ryoiki Kenkyu Kenkyu hokoku Shuroku</u> ; March 31, 2004; pp. 367-369.		<input type="checkbox"/>
	AL	OHNISHI; Takanori, et al.; "In Vitro and <i>in Vivo</i> Potentiation of Radiosensitivity of Malignant Gliomas by Antisense Inhibition of the RAD51 Gene;" <u>Biochemical and Biophysical Research Communications</u> (BBRC); April 17, 1998; pp. 319-324; 245:2.		<input type="checkbox"/>
	AM	SHINOHARA, A., et al.; "Cloning of human, mouse and fission yeast recombination genes homologous to RAD51 and recA;" <u>Nature Genetics</u> ; July 4, 1993; pp. 239-243; 4:3.		<input type="checkbox"/>
	AN	YOSHIDA, Kayo, et al.; "Honyurui Dobutsu Saibo no Hoshasen Kanjusei o Seigyosuru, DNA Shufuku Idenshi no Hatsugen Yokusei;" <u>Radiation Biology Research Communications</u> ; 2003; pp. 286-300; 38:3.		<input type="checkbox"/>

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